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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,173	11/30/2001	Khiem Le	NC17216 (NOKI13-17216)	9510
43829	7590	06/16/2005	EXAMINER	
ROBERT M BAUER, ESQ. LACKENBACH SIEGEL, LLP 1 CHASE ROAD SCARSDALE, NY 10583			BROWN, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/000,173

Applicant(s)

LE ET AL.

Examiner

Christopher J. Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: Page 13 line 4 states “effectuated to effectuate authentication” the grammar in this sentence is improper. Appropriate correction is required.

Claim 4 is objected to because of the following informalities: The term “at least the first access network” in line 1 is so similar to “the first access network” in line 2 that the claim reads that the first access network contains both the first and second access networks. Appropriate correction is required.

Claim 5 is objected to because of the following informalities: Claim 5 contains improper grammar on lines 2-3. The examiner recommends adding “is” to the end of line 2, and removing the second “identified” in the middle of line 3. Any rewording proposed by the applicant would also be considered preferable to the current claim. Appropriate correction is required.

### *Drawings*

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are of an informal and non uniform nature. Applicant is

advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 15 are rejected under 35 U.S.C. 112, second paragraph,

Where the nature of the case admits, as in the case of an improvement, any independent claim should contain in the following order:

- (1) A preamble comprising a general description of all the elements or steps of the claimed combination which are conventional or known,
- (2) A phrase such as “wherein the improvement comprises,” and
- (3) Those elements, steps, and/or relationships which constitute that portion of the claimed combination which the applicant considers as the new or improved portion.

Please see MPEP 37 CFR 1.75(e).

Claim 1 line 9 is indefinite because the stated identifier is “coupled” but does not state what the identifier is coupled to.

Claims 2-14 and 16-20 are rejected based on their dependence on rejected independent claims 1 and 15.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-3, 5-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malkin US 6,061,650, in view of Ahonen US 2001/0009025.**

As per claims 1 and 15, Malkin teaches a first access network portion coupled to a core network, (Fig 1, Col 2 lines 18-25). Malkin teaches the system provides mobile functionality and wireless support, (Col 1 lines 64-66, Col 6 line 57). Malkin teaches an authentication request, and an identifier identifying indicia used to facilitate delivery of the authentication request to an authenticator, (Col 2 lines 30-48, Col 3 line 66- Col 4 line 18).

Malkin doesn't explicitly teach a mobile station.

Ahonen teaches a mobile station that receives authentication via an access network, a core network, and an authenticator, [0109], [0110], Fig 1.

It would have been obvious to one of ordinary skill in the art to use the mobile station of Ahonen with the authentication system of Malkin because the mobile station is portable and more convenient than a stationary PSTN terminal.

As per claims 2, 9, 10, and 16, Malkin teaches indicia is an authenticator address, (Col 2 lines 33-45, Col 4 line 17).

As per claims 3, 11, 17 and 20, Malkin teaches indicia is an authentication method, (Col 2 lines 55-57, Col 4 line 18)

As per claims 6 and 18, Makin teaches the identifier is formed of a proxy in the first access network, (Fig 1).

As per claims 7 and 19, Malkin teaches the proxy comprises an authentication request, a message forwarder, and that the request include indicia associated with the authenticator, (Col 2 lines 30-48, Col 3 line 66- Col 4 line 18).

As per claim 8, Malkin teaches a message including a username and password, which are text based, (Col 4 line 15).

As per claim 12, Ahonen teaches that the message is positioned at the mobile station, [0109], [0110], [0111].

As per claim 13, Ahonen teaches that the origin of the communication is identified, [0113].

As per claim 14 Ahonen teaches a registration procedure by the mobile station, [0035].

**Claims 1-3, 5-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malkin US 6,061,650, in view of Ahonen US 2001/0009025 in view of Melaku US 2003/0032414.**

As per claim 4 the previous Malkin-Ahonen combination does not teach at least a first access network coupled to a core network associated with a first authenticator and at least a second access network coupled to the core network associated with a second authenticator.

Malaku teaches a mobile telecommunications network with at least a first access network coupled to a core network associated with a first authenticator and at least a second access network coupled to the core network associated with a second authenticator, Fig 1, [0022].

It would have been obvious to one of ordinary skill in the art to use the networks and authenticators of Malaku in the system of Malkin-Ahonen to reduce network traffic from mobile phone authentication in separate geographic regions.

As per claim 5 the Malkin-Ahonen-Malaku system teaches that indicia indicates which authenticator to use based on the access network, ( Malkin Col 2 lines 33-45, Col 4 line 17).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chantrain US 2002/0002687.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown

6/10/05



**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**